



## Variance Petition No. 201500013

### HEARING & MEETING DATES

Planning Commission Hearing  
February 19, 2015

Board of Appeals Hearing  
March 12, 2015

### APPLICANT/PETITIONER INFORMATION

Property Owner  
Sherwin Williams

Petitioner  
Sherwin William

Representative  
Colleen Allen

### PROPERTY INFORMATION

Address, Land Lot(s),  
and District

6430 Roswell Road  
Land Lot 88, District 17

Council District

3

Frontage

Approximately 165.02 feet of frontage along the westerly side of Roswell Road (SR 9)) and 125.50 feet of frontage along the northerly side of Chaseland Road.

Area

The subject property has a total area of 0.442 acres (19253.52 square feet).

Existing Zoning and  
Use

C-2 (Community Business District) conditional under Fulton County zoning case 1986Z-034, currently developed with a building.

Overlay District

Main Street District

2027 Comprehensive  
Plan Future Land Use  
Map Designation

Living-Working Community (LWC)

### INTENT

The applicant is seeking primary variances from the Sandy Springs Zoning Ordinance as follows:

- 1) From Section 33.22.C to reduce the sign setback from the right of way from three (3) feet to Zero (0) along the Roswell Road frontage.
- 2) From Section 33.26.H.2.to allow wall sign on a non-street facing wall for the north elevation of the building.

### DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

201500013- 1) APPROVAL CONDITIONAL  
2) APPROVAL CONDITIONAL

Prepared by the City of Sandy Springs Department of Community Development for the Board of Appeals Hearing on March 12, 2015

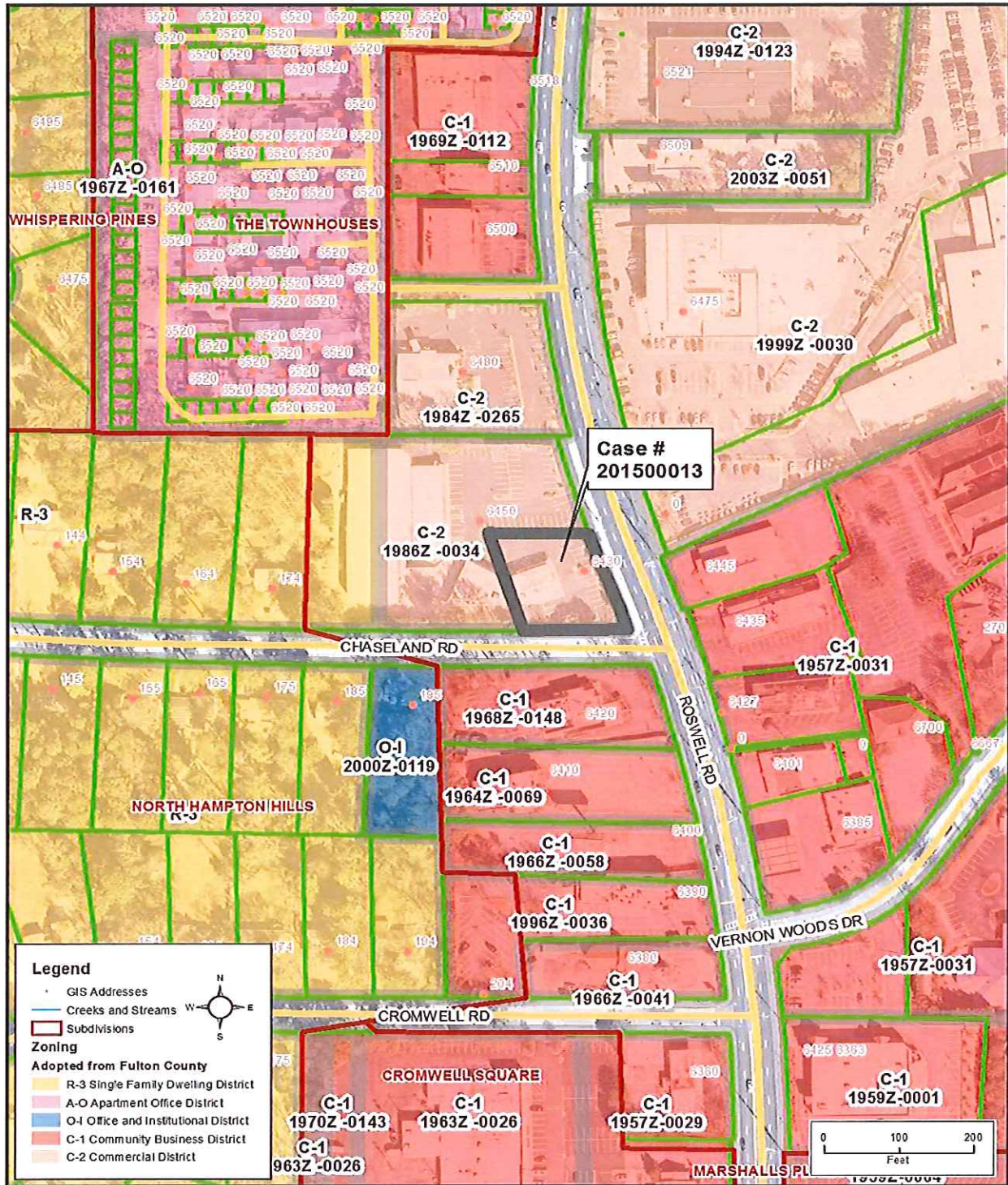
## PLANNING COMMISSION RECOMMENDATION

Prepared by the City of Sandy Springs Department of Community Development for the Board of Appeals Hearing on March 12, 2015



# Parcel Map

6430 Roswell Road (SR 9)



Prepared by the City of Sandy Springs Department of Community Development for the Board of Appeals Hearing on March 12, 2015



**CITY OF SANDY SPRINGS  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
VARIANCE ANALYSIS**

CASE NUMBER: 201500013  
STAFF CONTACT: Cristina Nelson, Senior Planner 770-206-1516  
E-mail: cnelson@sandyspringsga.gov

**Staff Analysis:**

The subject site is located at 6430 Roswell Road (SR 9) at the intersection of Roswell Road (SR 9) and Chaseland Road. The property is zoned C-2 (Community Business District) Conditional pursuant to Fulton County zoning case 1986Z-034. Is currently developed with a one story brick building. Additionally, this project is located within the Main Street District of the Sandy Springs Overlay.

The subject of this variance is the new location for Sherwin Williams that previously was located in the City Center of Sandy Springs on Johnson Ferry Road. Because the location of this property at the intersection of Roswell Road and Chaseland Road the building is allowed to have wall signs on two (2) frontages, south and east in addition to have two ID Monument signs. The applicant instead wants to place two signs only as follows: one ID monument along Roswell Rd adjacent to the street right of way and one wall sign on the north elevation of the building facing the parking lot. To pursue these requests is necessary to obtain the approval through a variance process.

Request 1) The applicant is seeking a primary variance from Section 33.22.C to reduce the sign setback from the right of way from three (3) feet to Zero (0) along the Roswell Road frontage.

The Sandy Springs Zoning Ordinance provides:

**Section 33.22.C. Setback.**

*Unless a more restrictive setback is specified in conditions of zoning or otherwise in this Article, all signs shall set back at least ten (10) from the right-of-way or twenty (20) feet from the edge of pavement if a private street and no sign shall project over the right-of-way. However, the Director is authorized by this Zoning Ordinance to consider an administrative variance to the sign setback requirements subject to the limitations of Section 12, Variance, subsection d. Standards, of this ordinance. In the Overlay Main Street District all signs shall set back at least three (3) feet from the right-of way. Temporary banners shall be exempt from the setback requirements, but shall not encroach upon the right-of-way.*

The applicant explains: "Relief from the requirement that monument signs be setback 3' from the right-of-way in the Main Street Overlay District. We feel that the existing elevation and plantings along the southern portion of the lot would make it difficult to see a sign and would cause a greater disruption to the transition from the neighboring residential area to the commercial corridor of Roswell Road. It is our intention to leave the existing mature trees in place that shield the roof of the building from view for residents off Chaseland Road and vehicles traveling north along Roswell Road. Based on these considerations, we would like to

install a monument sign along Roswell Road where the grade is more level and where there is greater visibility for northbound travelers along Roswell Road. If we are to abide by the setback of three feet from the right-of-way for this monument sign, you would be unable to see the sign due to the significant grade change from Chaseland Road to the entry drive of our store. As such, we are requesting relief from this setback, reducing it to zero to allow us to be closer to the street. In conjunction with the installation of the monument sign, we plan to install upgraded landscaping that would complement the monument sign and our new store".

Request 2) the applicant is seeking a primary variance from Section 33.26.H.2 of the Zoning Ordinance to allow for a wall sign on a non-street facing wall.

The Sandy Springs Zoning Ordinance provides:

**Section 33.26.H.Sandy Springs Overlay District**

2. Wall Signs (amended 04/21/09, TA09-002, Ord. 2009-04-19).
  - a. *Wall signs are permitted on street-facing walls (including windows and doors). Businesses without a street on which there is frontage, but which have exterior entrances to the building, are entitled to one wall sign on the exterior wall of the business. Wall sign(s) shall not exceed the smaller of five percent (5%) of the applicable wall area or one hundred eighty (180) square feet, confined to the upper thirty (30) feet of the facade. Wall signs shall not have changeable copy unless approved as a marquee sign.*

The applicant explains: "In conjunction with our building permit, we permitted our initial sign package which included one sign for the Roswell Road street facing elevation and one for the parking lot (north) elevation. After further review of the building and the entire site, we have determined that our business would be best served by a monument sign and a wall sign on the non-street facing wall. This would allow us to capture customers traveling north and south on Roswell Road more easily than any other sign configuration. Per the ordinance, we are permitted a monument and wall sign on each street frontage; with this being a corner lot that would allow for four signs total, two at Roswell Road and two at Chaseland Road. This variance request is for only half of what we are allowed per the ordinance".

"Relief from the requirement that signs are not permitted on non-street facing walls. As mentioned above, the monument sign would be used to more effectively capture customers traveling northbound on Roswell Rd. As such, we would like to forego a wall sign on the Roswell Rd elevation and use the parking lot elevation to capture customers traveling south along Roswell Road and to welcome customers once they have entered the parking lot. We feel that a wall sign on the parking lot elevation would be more beneficial than a wall sign on either, or both, the Chaseland Road and Roswell Road elevations.



We intend to install signs that complement the positive changes Sandy Springs has made to its downtown area and that will further develop the relationship Sandy Springs and Sherwin-Williams have shared over the past 35 years. We hope that you will consider our request and the hardships we face due to the changes in elevation along Roswell Road and across our lot from Chaseland Road towards our neighboring tenant".

The applicant states "that both proposed sign locations would help advertise the store presence to the patrons and better able the Sherwin-Williams to continue its business in the community at their new location".

Both signs are to meet the requirements of the zoning districts on size and height.

### History

No Code Enforcement issues have been reported.

### Standards for Consideration

### Zoning Ordinance

1. Variance from Section 33.22.C to reduce the sign setback from the right of way from three (3) feet to zero along the Roswell Road frontage.

### Section 33.12.D. Standards

The standards which shall be considered for granting a variance from the standards of this Article shall be only the following:

1. *The topography of the lot on which the sign is located or to be located renders it impossible to comport with the strict standards of this Article.*

#### Findings:

The site layout, does not present topographical challenges to justify the approval of this variance. Therefore, staff is of the opinion this standard has not been satisfied.

2. *The natural features of the lot on which the sign is located or to be located, or of the land immediately adjacent to the lot, impairs the visibility of the sign such that it cannot be seen.*

#### Findings:

Sherwin Williams prefers to have the sign at the right of way line, which is already set back approximately 20 feet behind the roadway curb.

The applicant states that the normal 3 foot set-back for the sign would put it about 23 feet from the curb which would severely block visibility due to the vegetation of

the lot. Staff found that the natural features of the lot presents challenges to justify the approval of this variance. Therefore, staff is of the opinion this standard has been satisfied.

- 1) Variance from Section 33.26.H. 2 Sandy Springs Overlay District to allow a wall sign on a non-street facing wall.

#### Section 33.12.D. Standards

The standards which shall be considered for granting a variance from the standards of this Article shall be only the following:

1. *The topography of the lot on which the sign is located or to be located renders it impossible to comport with the strict standards of this Article.*

#### Findings:

The lot does not present topographical challenges to justify the approval of this variance. Therefore, staff is of the opinion this standard has not been satisfied.

2. *The natural features of the lot on which the sign is located or to be located, or of the land immediately adjacent to the lot, impairs the visibility of the sign such that it cannot be seen.*

#### Findings:

The existing natural features of the lot, create challenges for using signage effectively to promote vehicular and pedestrian awareness. Existing trees along the southern portion of the lot would make it difficult to see a sign on the building and would cause a greater disruption to the transition from the neighboring residential area to the commercial corridor of Roswell Road. Therefore, based on this reason the staff is of the opinion this standard has been satisfied.

## Department Comments

The staff held a Focus Meeting on February 4, 2015 at which time the following departmental comments were provided:

BUILDING AND LAND DEVELOPMENT DIVISION	Sandy Springs Building Officer	▪ No Comments
	Plan Review	
	Sandy Springs Development Plan Review Engineer	▪ No Comments
FIRE DEPT.	Sandy Springs Landscape Architect/ Arborist	▪ No Comments
	Sandy Springs Fire Protection Engineer	▪ No Comments
	Sandy Springs Transportation Planner	▪ No Comments
TRANSPORTATION	Georgia Department of Transportation	▪ No Comments

## Recommendation

Staff explains: the Sandy Springs overlay provides for businesses to have signs on road frontages as well on non-road frontages depending on the specifics of the lot. This business has the opportunity to display four signs: two ID monument monuments and two wall signs, on the east and south elevations of the building. The applicant has selected to display two signs instead. One ID monument and one wall sign on the north elevation, which is not road frontage, but provides more visibility to the business.

The applicant has indicated that the purpose for this variance is mainly to provide signage visibility for the business. Relief, if granted, would not cause detriment to the public good or impair the purpose and intent of the zoning ordinance, as the request would result in a proportional and commercially reasonable level of signage for the store and would be in harmony with the intent of the zoning ordinances. The proposed wall sign at the proposed location will not have a negative impact on the surroundings instead will provide information to the south bound traffic



The purpose of the sign ordinance is to encourage the effective use of signs as a means of communication; to improve traffic and pedestrian safety.

Staff reviewed the request relative to the variance standards contained in Section 33.12.D. of the Zoning Ordinance. Based upon this review, staff recommends APPROVAL CONDITIONAL of the variance requests.

Should the Board choose to approve the application, Staff recommends the following condition(s):

- 1) To allow an Identification monument sign along Roswell Road property frontage to be located at zero foot off the right-of-way pursuant to the sign location, submitted by the applicant, and dated received January 6, 2015 by the Department of Community Development.
- 2) To allow for a wall sign on non-street facing wall on the north elevation of the building pursuant to the sign location and design, submitted by the applicant, and dated received January 6, 2015 by the Department of Community Development.
- 3) The wall sign shall be located on the north elevation of the building pursuant to the site plan submitted by the applicant, dated received January 6, 2015 by the Department of Community Development.
- 4) There shall not be more than two wall signs on the building at any given time.
- 5) There shall not be more than one ID monument sign on the property.

#### Attachments

Letter of Appeal, Property Survey, Sign Detail and Photographs.



## **SHERWIN-WILLIAMS**

### **Paint Stores Group**

January 8, 2015

City of Sandy Springs  
Board of Appeals  
c/o Department of Community Development  
Attention: Cristina Nelson, Senior Planner  
7840 Roswell Road  
Sandy Springs, Georgia 30350

RE: Sign Variance Request at 6430 Roswell Road

Dear Ms. Nelson,

Sherwin Williams recently relocated from the City Center of Sandy Springs to a location further north on Roswell Road. The new store is located at the corner of Roswell Road and Chaseland Road, next door to Kudzu Antiques. In conjunction with our building permit, we permitted our initial sign package which included one sign for the Roswell Road street facing elevation and one for the parking lot (north) elevation. After further review of the building and the entire site, we have determined that our business would be best served by a monument sign and a wall sign on the non-street facing wall. This would allow us to capture customers traveling north and south on Roswell Road more easily than any other sign configuration. Per the ordinance, we are permitted a monument and wall sign on each street facing elevation; with this being a corner lot, that would allow for four signs total, two at Roswell Road and two at Chaseland Road. This variance request is for only half of what we are allowed per the ordinance.

#### **Variance 1: Relief from the requirement that monument signs be setback 3' from the right-of-way in the Main Street Overlay District**

We feel that the existing elevation and plantings along the southern portion of the lot would make it difficult to see a sign and would cause a greater disruption to the transition from the neighboring residential area to the commercial corridor of Roswell Road. It is our intention to leave the existing mature trees in place that shield the roof of the building from view for residents off Chaseland Road and vehicles traveling north along Roswell Road. Based on these considerations, we would like to install a monument sign along Roswell Road where the grade is more level and where there is greater visibility for northbound travelers along Roswell Road. If we are to abide by the setback of three feet from the right-of-way for this monument sign, you would be unable to see the sign due to the significant grade change from Chaseland Road to the entry drive of our store. As such, we are requesting relief from this setback, reducing it to one foot to allow us to be closer to the street. In conjunction with the installation of the monument sign, we plan to install upgraded landscaping that would compliment the monument sign and our new store.

#### **Variance 2: Relief from the requirement that signs are not permitted on non-street facing walls**

As mentioned above, the monument sign would be used to more effectively capture customers traveling northbound on Roswell Road. As such, we would like to forego a wall sign on the Roswell Road elevation and use



the parking lot elevation to capture customers traveling south along Roswell Road and to welcome customers once they have entered the parking lot. We feel that a wall sign on the parking lot elevation would be more beneficial than a wall sign on either, or both, the Chaseland Road and Roswell Road elevations.

We intend to install signs that compliment the positive changes Sandy Springs has made to its downtown area and that will further develop the relationship Sandy Springs and Sherwin-Williams have shared over the past 35 years. We hope that you will consider our request and the hardships we face due to the changes in elevation along Roswell Road and across our lot from Chaseland Road towards our neighboring tenant. Thank you in advance for your time and consideration in this matter.

Sincerely,

**Colleen Allen**

Real Estate Representative  
Southeastern Division  
470-218-6560





RECEIVED

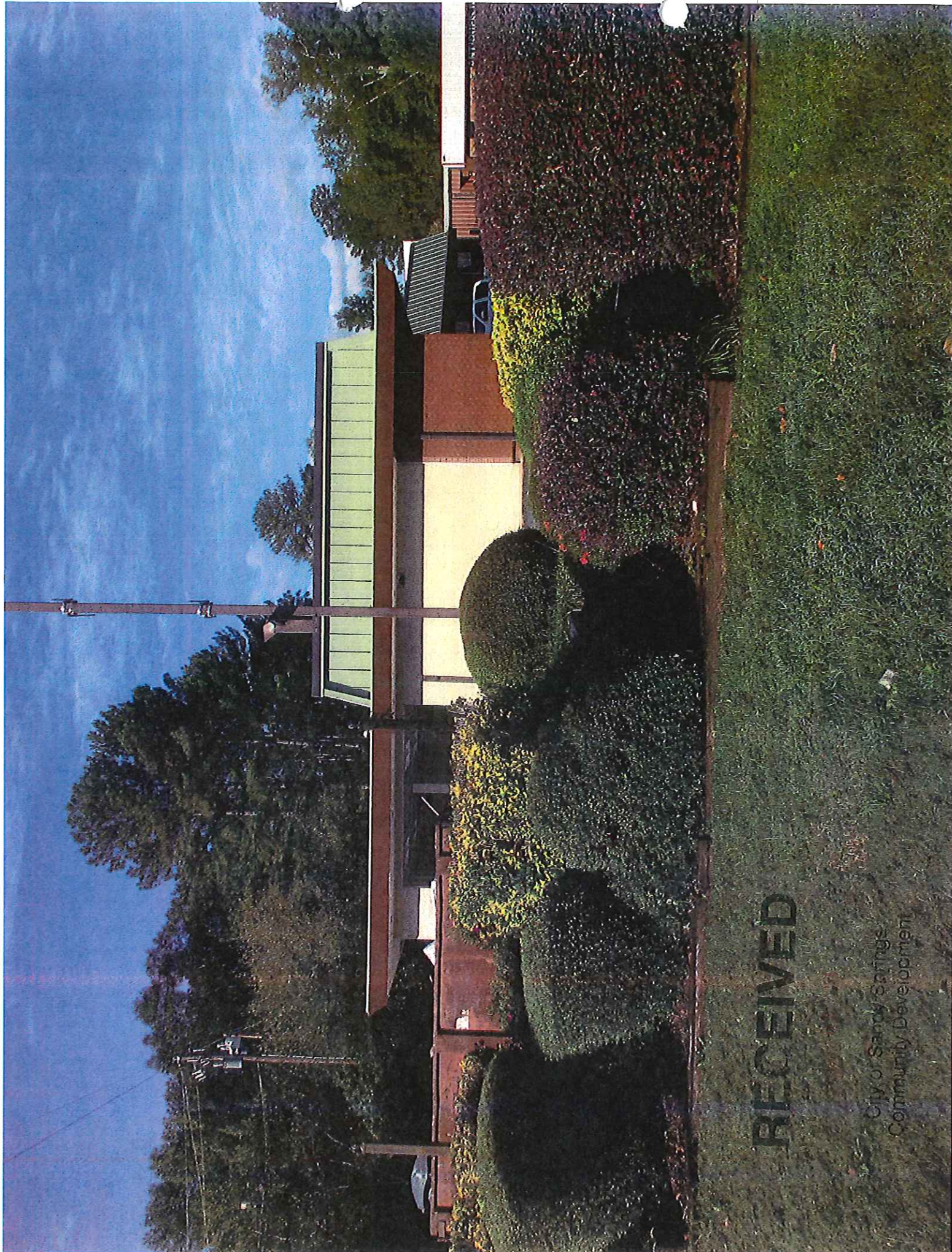
2005

City of Sandy Springs  
Community Development









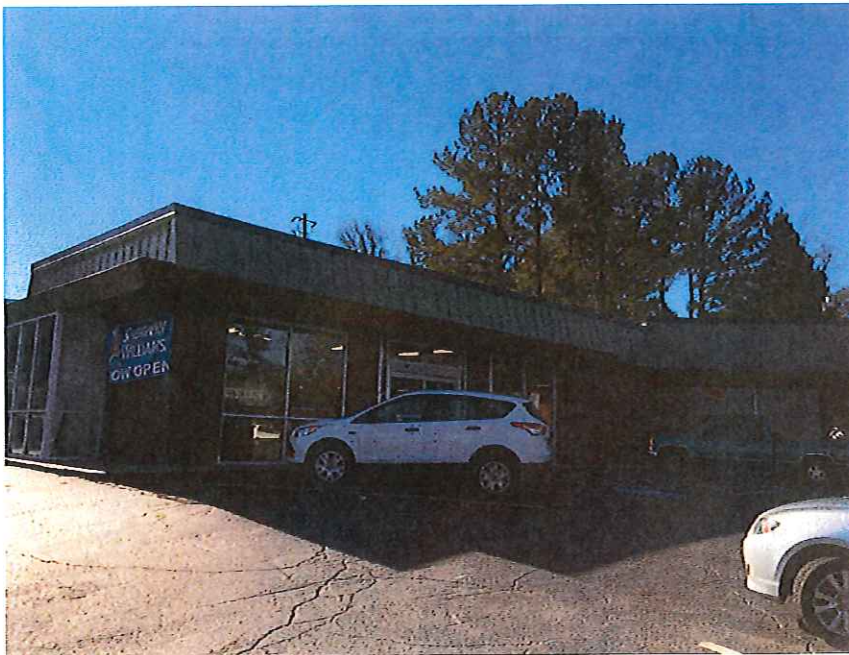
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City of Sandy Springs  
Community Development



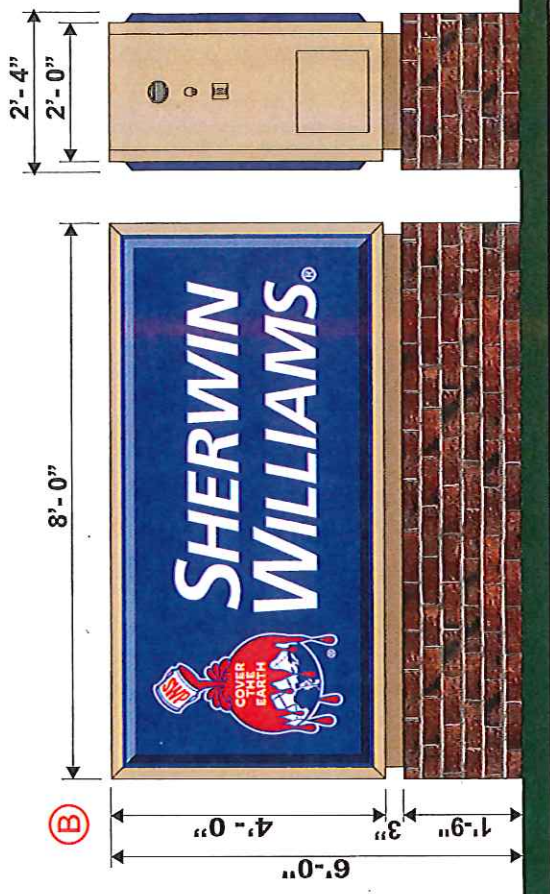


Monument sign shall be placed amidst shrubs, which will be re-landscaped





Non-street facing elevation where wall sign is requested





Illuminated w/ Fluorescent Lamps  
 Panned Lexan Faces w/ "processed pan drop  
 TO MATCH 3M 3630-8168 Blue Vinyl"  
 and Vinyl Graphics Second Surface  
 Monument is to have Textcoated Cabinet and Retainers  
 Base to be brick and is to be as wide as the maximum  
 sign projection  
 Photocell  
 Disconnect Switch  
 2" Retainers

- White Copy
- Red- 3M VINYL 3630-143 TO MATCH PMS 032
- Blue- 3M VINYL 3630-8168 TO MATCH PMS 293
- Cabinet & Retainers Painted SW 6141 Softer Tan
- Reveal Painted SW 6143 basket Beige
- Brick by others

 <b>I.D. ASSOCIATES</b> 1771 INDUSTRIAL ROAD · DOTHAN, ALABAMA · 36303 PH (888) 303-5534 · FAX (334) 836-1401 www.idassociatesinc.com  Underwriting Laboratories Inc.	CLIENT	SHERWIN WILLIAMS	STORE NO.	#2161	REV.	X	R1 03/07/14	DMS	REV.
	LOCATION	SANDY SPRINGS, GA.	DATE	03/03/14	REV.		R2 1-8-15	AB	REV.
	ACCOUNT REP.	K. CHILDS	DRAWN BY		REV.				REV.
	DRAWING NO.	SW GA SAND SPRINGS-SIGN EXHIBIT-OPT1			REV.				REV.
					REV.				REV.

**ID ASSOCIATES**  
1771 INDUSTRIAL ROAD • DOTHAN, ALABAMA • 36303  
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[www.idassociatesinc.com](http://www.idassociatesinc.com)



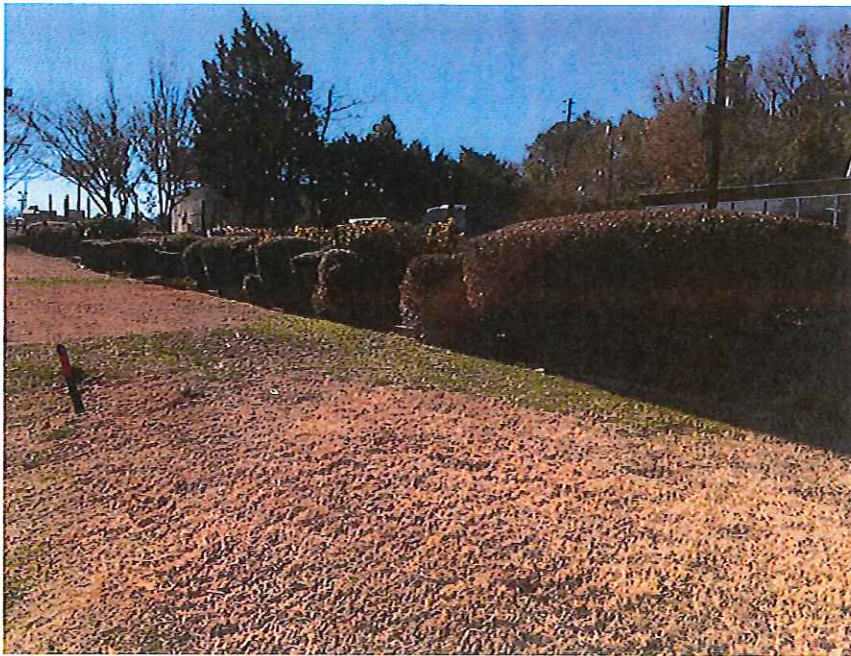


View of property from Chaseland Road



Existing trees and plantings shielding the view of our roof from Roswell & Chaseland Roads





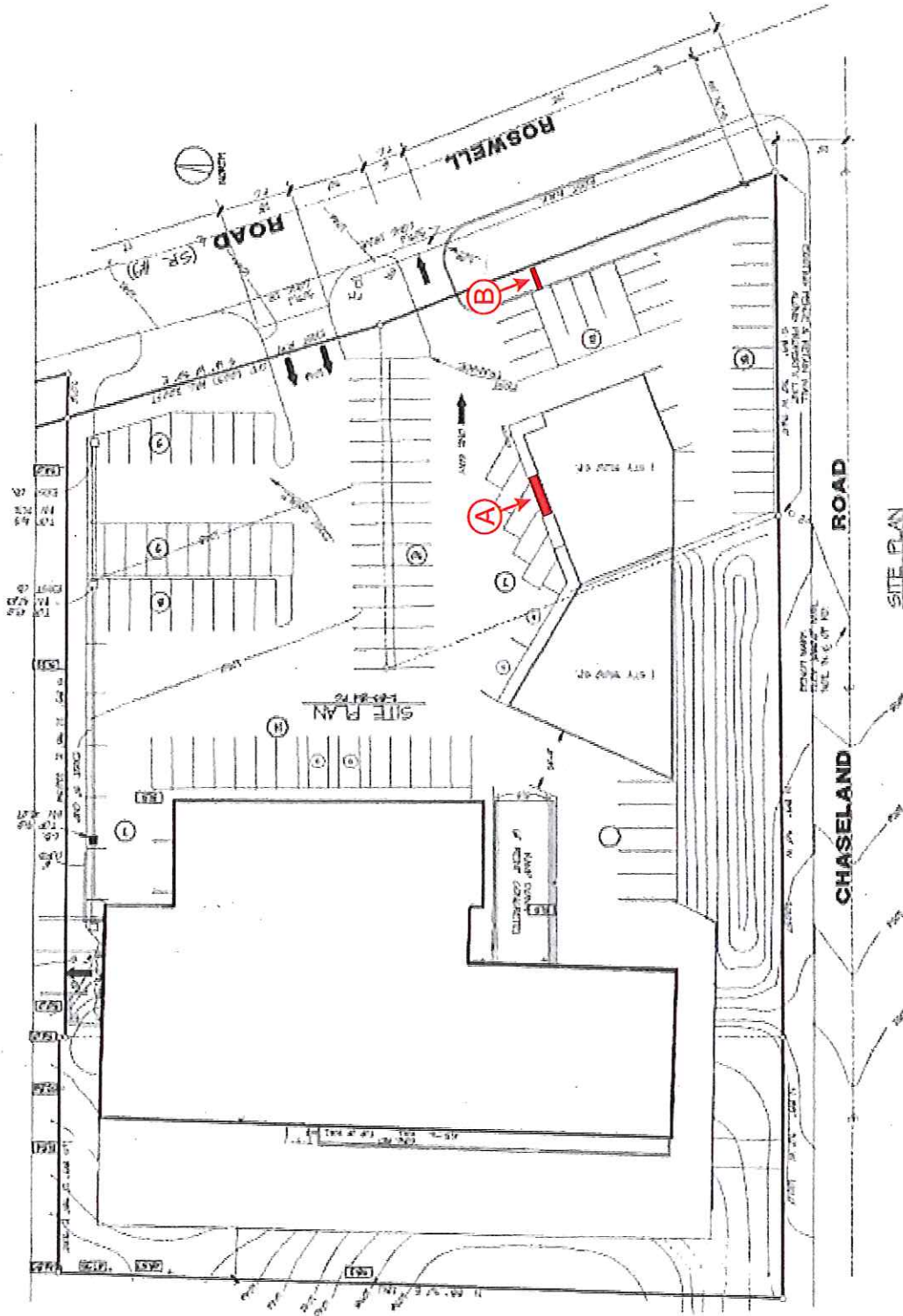
Large, overgrown shrubs along Roswell Road between the building and the street



View of building from Roswell Road, monument sign will be in line with the existing light pole



# SITE PLAN



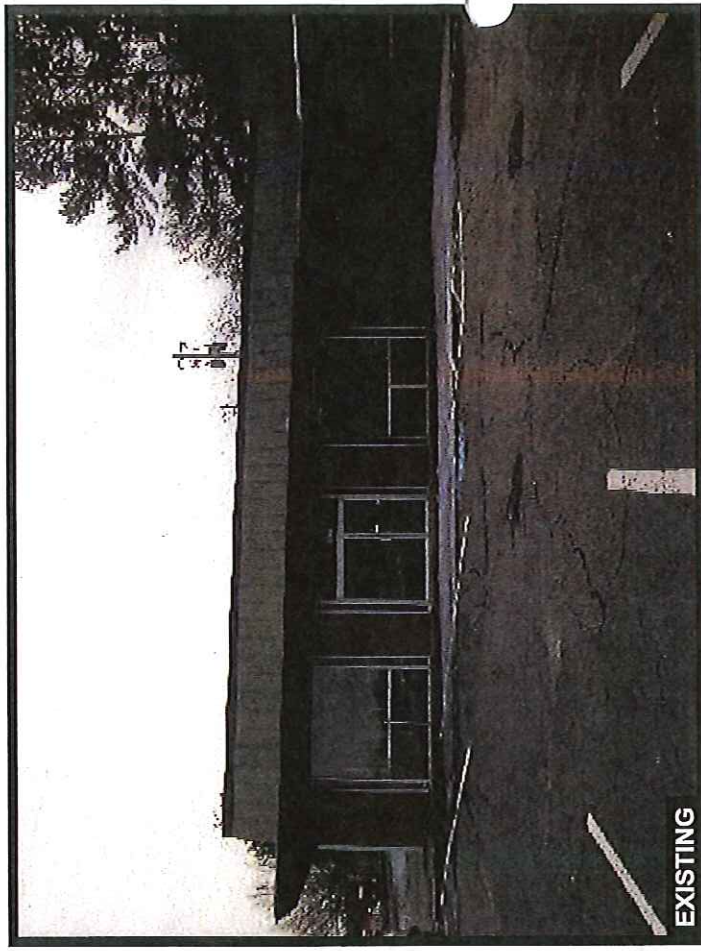
DRAWING IS FOR CONCEPTUAL PURPOSES ONLY. DUE TO CONSTRUCTION CONSTRAINTS, SIZES AND OR LAYOUTS MAY CHANGE SLIGHTLY.

**I.D. ASSOCIATES**  
 1771 INDUSTRIAL ROAD · DOTHAN, ALABAMA · 36303  
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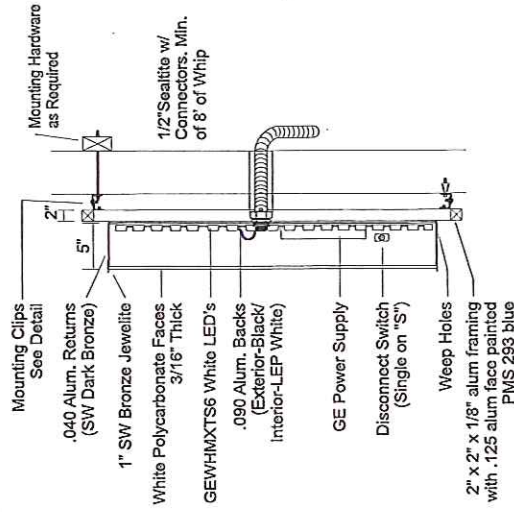
**Underwriters**  
 INCORPORATED  
 10000 W. 10TH AVE. SUITE 100  
 DENVER, CO 80202

CLIENT	SHERWIN WILLIAMS	STORE NO.	#2161	REV.	X	R1 03/07/14	DMS	REV.
LOCATION	SANDY SPRINGS, GA.	DATE	03/03/14	REV.		R2 1-8-15	AB	REV.
ACCOUNT REP.	K. CHILDS	DRAWN BY	DMS	REV.				REV.
DRAWING NO.	SW_GA_SAND SPRINGS-SIGN EXHIBIT-OPT1			REV.				REV.





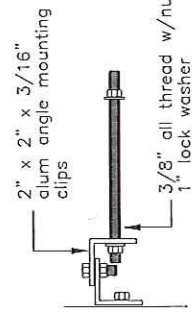
## EXISTING



ALLOWED SQ FT:	45.00
PROPOSED SQ FT:	45.00

**FLAT LOGO:**

- White Polycarbonate face
- First surface vinyl graphics
- Red 3M 3630-143 (to match PMS 032)
- Blue 3M 3630-8168 (to match PMS 293)
- Returns Painted to Match SW Dark Bronze.
- 1" SW Dark Bronze jewelfite.



**I.D.**  
**ASSOCIATES**

1771 INDUSTRIAL ROAD • DOTHAN, ALABAMA • 36303  
PH (888) 303-5534 • FAX (334) 836-1401  
www.idassociatesinc.com

SHERWIN WILLIAMS		STORE NO.	#2161	REV.	
CLIENT	X	R1	03/07/14	DMS	REV.
LOCATION	X				REV.
SANDY SPRINGS, GA.		DATE	03/03/14	R2	1-8-15 AB
ACCOUNT REP.	K. CHILDS	DRAWN BY			REV.
DRAWING NO.	SW GA SAND SPRINGS-SIGN EXHIBIT-OPT1	DMS			REV.



These standard symbols may be found in the drawing.

- # LEGEND
- These standard symbols may be found in the drawing.
- |                        |                                      |
|------------------------|--------------------------------------|
|                        | ● 1/2" FEBAR SET                     |
|                        | ○ RISK PIN FOUND                     |
|                        | BL BUILDING LINE                     |
|                        | □ CATCH BASIN                        |
|                        | □ DRAIN                              |
|                        | ○ WATER VALVE                        |
|                        | ○ WELL                               |
|                        | ○ FIRE HYDRANT                       |
|                        | ○ FIRE PLUG                          |
|                        | ○ WATER METER                        |
|                        | + GUY WIRE                           |
| 4° 35' DECLINATION     | ○ POWER POLE                         |
| MAGNETIC READINGS HELD | ○ LIGHT POLE                         |
|                        | ○ LIGHT                              |
|                        | ○ ELECTRIC METER                     |
|                        | ○ JUNCTION BOX                       |
|                        | ○ MANHOLE                            |
|                        | ○ LD (UNKNOWN)                       |
|                        | ○ SINKER CLEAN OUT                   |
|                        | ○ CABLE BOX                          |
|                        | ○ GAS METER                          |
|                        | ○ BOLLARD                            |
|                        | ○ 64 POST                            |
|                        | ○ MAILBOX                            |
|                        | ○ AIR CONDITIONING UNIT              |
|                        | ○ TELEPHONE BOX                      |
| — SS                   | ○ SANITARY SEWER                     |
| — S                    | ○ SANITARY SEWER (HOT FIELD LOCATED) |
| — E                    | ○ ELECTRIC                           |
| — FO                   | ○ PHONE LINES                        |
| — X                    | ○ FENCE                              |
| —                      | ○ UNDERGROUND PIPELINE               |
| —                      | ○ HANDICAP PARKING                   |

#### ADDITIONAL REFERENCES

1. TRACT 1: DEED BOOK 6281 PAGE 8
2. TRACT II: DEED BOOK 13344 PAGE 226
3. SUBDIVISION OF NORTH HAMPDEN HILLS UNIT 2 DATED JAN. 23, 1954 AND RECORDED IN PLAT BOOK 53 PAGE 53
4. PLAT BOOK 34 PAGE 25
5. AS BUILT SURVEY FOR DEED BARON ANTIQUES, INC. DATED 9/23/93 BY GEORGIA LAND SURVEYING CO., INC.
6. SURVEY FOR #174 CHASELAND ROAD BY JOHN LEWIS, II DATED 4-03-03
7. PROPERTY SURVEY FOR WILKINER & WILSEY DATED JULY 22, 1959 BY ERNEST L. BOGGS P.E. & L.S.
8. REVISED UNIT NO. 1 H.V. POWELL SUBDIVISION DATED AUG-25-1952 BY J.R. CAFEY REG. SURVEYOR-515 AND RECORDED IN PLAT BOOK 46 PAGE 73.

## ZONING

C-2 (COMMERCIAL DISTRICT)

- Front yard setback-40'  
Side yard setback-0'  
Side yard adjacent to street setback-40'  
Rear yard setback-0'

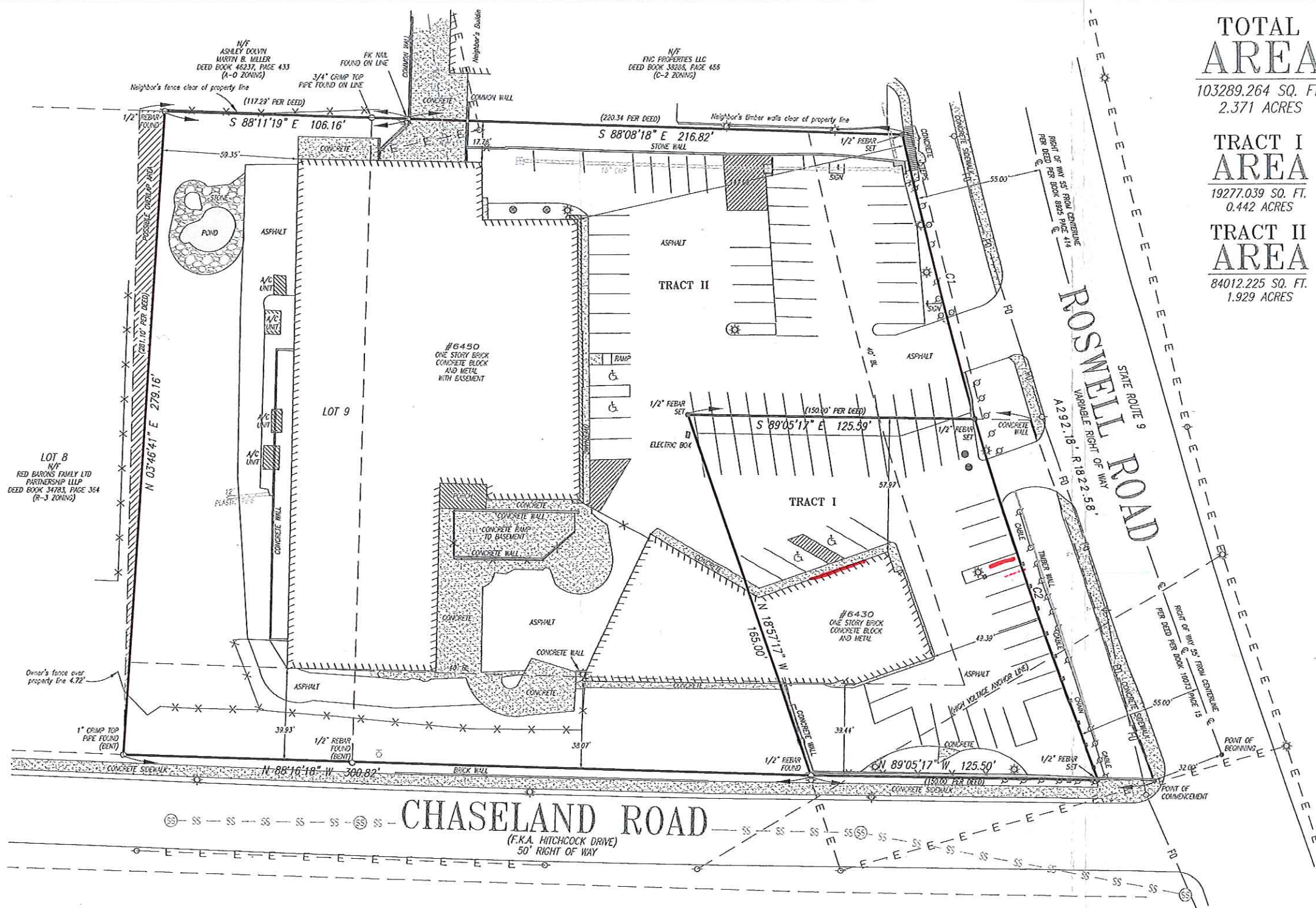
Note: Graphical depiction of setback lines are the interpretation of the surveyor and would need to be verified with a zoning official before any design work is done.

## SURVEY NOTES

1. Equipment used: Leica 1200 robotic total station and Allegro MX data collector.
2. Software used: Corlson Survey 2013 and Corlson Survey.

## CLOSURE STATEMENT

The field data upon which this plot is based has a closure of 1 foot in 325,241 feet, an angular error of 1.76 seconds per angle point and was adjusted using an angle balance method. This plot has been calculated for closure and found to be accurate to 1 foot in 129,371 feet.



TOTAL  
AREA  

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103289.264 SQ. FT.  
2.371 ACRES

TRACT I  
AREA  

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19277.039 SQ. FT.  
0.442 ACRES

TRACT II  
AREA  

---

84012.225 SQ. FT.  
1.929 ACRES

RECEIVED

JAN 06 2015

City of Sandy Springs  
Community Development

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1822.58'	127.15'	127.13'	S14°19'53"E	5°59'50"
C2	1822.58'	165.02'	164.92'	S18°55'26"E	5°11'16"

155 CLIFTWOOD DRIVE - ATLANTA, GEORGIA 30328 - TELEPHONE: (404) 255-4671 - FAX: (404) 255-6607 - [WWW.GEORGIALANDSURVEYING.COM](http://WWW.GEORGIALANDSURVEYING.COM)

SURVEY PLAT FOR: 6430 & 6450 ROSWELL ROAD, SANDY SPRINGS GEORGIA 30328

DATE: 2/11/14 SCALE: 30'

GLOBAL PROJECT KUDZU SW, LLC

LAND LOT: 88	17th DISTRICT	SECTION	FULTON COUNTY, GA
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LOT:	BLOCK:	UNIT:	PHASE:
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SUBDIVISION:

DEED BOOK 8281	PAGE 8	PARTY CHIEF: D.R.	1	1
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PLAT BOOK	, PAGE	DRAFTER: BJC	SHEET 1 OF 1
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SHEET 1 OF 1



THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67. AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.